



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/910,654	07/20/2001	Rodger Burrows	02154.001	2617

7590 05/01/2003

Richard M. Saccocio
Richard M. Saccocio, P.A.
100 Southeast 12th Street
Ft. Lauderdale, FL 33316

EXAMINER

MYHRE, JAMES W

ART UNIT

PAPER NUMBER

3622

DATE MAILED: 05/01/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/910,654

Applicant(s)

Burrows

Examiner

James W. Myhre

Art Unit

3622



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Mar 24, 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☒ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 2 6) ☐ Other:

Art Unit: 3622

DETAILED ACTION

Oath/Declaration

1. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

Non-initialed and/or non-dated alterations have been made to the oath or declaration. See 37 CFR 1.52(c).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(f) he did not himself invent the subject matter sought to be patented.

3. Claims 1-18 are rejected under 35 U.S.C. 102(f) because the applicant did not invent the claimed subject matter.

As shown in the prior art submitted by the Applicant along with the Petition to Make Special, the Airlines Reporting Corporation (ARC) held meetings starting in 1999 to discuss removing the requirement for travel agents to store copies of agent coupons in either physical

Art Unit: 3622

copies or on microfiche. During the September 29, 1999 Travel Distribution Task Force (TDTF) at the ARC Headquarters, it was disclosed that the ARC was "looking at the possibility of eliminating the requirement for agent retention of paper agent coupons" (page 3), that the "ultimate goal is to have a master storage database for these documents", and that "ARC would soon be allowing accredited entities to store these agent coupons on optical disc rather than paper" (page 4). During an October 27, 1999 press release, it was noted that the ARC management presented the Joint Advisory Board-Agent Reporting Agreement (JAB-ARA) "with draft text approving various media for electronic and optical storage of agent sales reports and supporting documents". This was further reported in the November 1, 1999 issue of Travel Weekly, a travel industry publication, as a plan which "would eliminate one more piece of paper - the agent's coupon" and that "Another option that the ARC is considering is to allow agents to keep their own electronic records to satisfy the two-year requirement to store agent's coupons". These plans evolved into an revised Industry Agent's Handbook, Section 70.0, which stated that "an Agent may, upon prior written notice to, and written approval by ARC, maintain the required documents on microfiche or on an optical storage medium as specified below"... "must be copied to microfiche/film or to a non-magnetic optical medium that uses a "write-once, read-many" technology which will prevent overwriting the stored data (e.g. WORM technology). Certain non-volatile storage medium, such as CD-ROMs, optical disks, DVDs, and laserdiscs, may be determined to be acceptable storage media". Finally, in the November 2, 2000 meeting of the Agent Working Group it was noted that "In June 2000, ARC made an announcement that IAR

Art Unit: 3622

agents can now print agent coupon on non-accountable stock or capture the coupon data on an optical media (i.e. CD-ROM, DVD, etc.)” and the “Agents now have the option to pursue the own agent coupon storage solutions.”

The present application and all of the claims are directed towards this new policy of the ARC, a policy which had been discussed at length in ARC and other travel industry meetings and publications for over a year before the priority date claimed by the Applicant. The Examiner also notes that the Applicant is not listed as an attendee in any of the meetings cited above. Thus, it appears that the Applicant has taken the advice of the ARC board and developed a computer program to electronically store the agent’s coupons. However, merely writing a program to implement another person’s (or entity’s) idea or a new law/requirement is not an inventive step.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Friedes et al (5,521,966) in view of Industry Agents’ Handbook (IAH), Section 70.0 (2000 Ed.).

Art Unit: 3622

Claims 1, 5, and 15-18: Friedes discloses a method and apparatus for generating airline tickets, comprising:

- a. Generating agent coupon data simultaneously with the printing of an airline ticket by a reservation apparatus;
- b. Transmitting the agent coupon data electronically to a storage apparatus;
- c. Providing each agent coupon data with an identifier;
- d. Storing the agent coupon data;
- e. Retrieving and printing the stored agent coupon data.

Friedes discloses conducting an electronic sale of an airline ticket, printing the airline ticket, and sending the transaction information to the host database (col 5, lines 34-38 and col 6, line 66 - col 7, line 5). It is required within the travel industry for an agent to complete and store uniquely identified agent coupon data for each transaction completed or voided. At the time of the filing of the Friedes reference, agents were required to print out a copy of the agent coupon and store it for two either as a paper copy or as a microfiche copy. However, starting in June 2000, the Airlines Reporting Corporation authorized electronic storage of the agent's coupons (IAH, paragraphs 2 and 2(1)). IAH also discloses that the electronically stored documents "must be accessible by an ARC representative" and that a PC and printer "must be available to an ARC representative or carrier representative at the site where the microfiche/film or optical copies are stored and maintained" (paragraphs 2(2) & 2(3)). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to maintain the agent coupon

Art Unit: 3622

data in Friedes as an electronic file, available for retrieval and printing. One would have been motivated to store the agent coupon electronically in view of the newly revised section of the IAH delineating the requirements for such storage means.

Claims 2-4: Friedes and IAH disclose a method for printing an airline ticket as in Claim 1 above. While Friedes does not explicitly disclose the storage medium on which the gateway database and the host database reside, IAH discloses numerous storage media, such as CD-ROMs, optical disks, DVDs, laserdiscs, hard drives, zip drives, floppy disks, magnetic tapes, and other magnetic media. Although IAH does not accept storage of the agent coupon data on hard drives, its disclosure teaches the possibility of storing the data on such media and renders it obvious to one having ordinary skill in the art at the time the invention was made that the data could be stored on any of the disclosed media. Batch processing, for either storage, transmission, or retrieval, is very well known within the database arts and would have been an obvious method of transmitting/storing/retrieving data, especially when a large amount of transactions need to be handled.

Claims 6-9: Friedes and IAH disclose a method for printing an airline ticket as in Claim 5 above, and Friedes further discloses connecting the reservation apparatus with the storage apparatus over switched networks and local area networks (LANs)(col 3, lines 55-60 and col 5, lines 1-9). While neither reference explicitly discloses that the connection is serial, via modem, via an intranet or the Internet, these are all common types of networks and network connection and would have been obvious choices to one having ordinary skill in the art at the time the invention

Art Unit: 3622

was made. One would have been motivated to choose one or more of these connections in order to limit or expand the range of agents who can access the system, depending on the desires of the system designer.

Claims 10-14: Friedes and IAH disclose a method for printing airline tickets as in Claim 1 above. IAH further discloses that the identifier data includes many types of information, such as the "agency code number, sales period ending date, ticket number and stock number" (paragraph 2(5)). Friedes also discloses that the transaction information may include such information as the passenger's "name, address and credit card numbers" along with other selected information such as "frequent flyer number, seat preference, or special meal requirements" (col 6, lines 60-65). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include any or all of this information as part of the transaction data being stored in Friedes. One would have been motivated to include these types of data in order to provide a more complete record of the transaction as required by ARC and by other "governmental or tax authorities" (IAH, See Note).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 3622

A. Wolfberg et al (4,885,685) discloses a method and apparatus for making travel reservations through the use of an identification card. A transaction number is also assigned to each transaction.

B. Wilder (5,408,417) discloses a method and apparatus for printing and dispensing airline tickets using a computer network. The data is stored on a hard disk or CD-ROM and the network connection is made through a modem. The transaction data is downloaded to a central database.

C. Fulton et al (6,182,052) discloses a method and apparatus for making airline reservations through a computer network using a modem or service platform.

D. Hohle (6,199,762) discloses a method and apparatus for completing transactions with airlines and travel agents through the Internet, ATMs, or other networks using modems, routers, and other peripherals

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Exr. James W. Myhre whose telephone number is (703) 308-7843. The examiner can normally be reached on weekdays from 6:30 a.m. to 3:30 p.m.

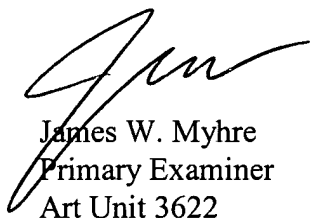
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber, can be reached on (703) 305-8469. The fax phone number for Formal or Official faxes to Technology Center 3600 is (703) 872-9326. Draft or Informal faxes may be submitted to (703) 872-9327 or directly to the examiner at (703) 746-5544.

Art Unit: 3622

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group Receptionist whose telephone number is (703) 308-1113.



JWM
April 22, 2003



James W. Myhre
Primary Examiner
Art Unit 3622